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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/539,500	03/30/2000	Brian Philip Mathews	30566.80USU1	8400

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EXAMINER

GARCIA OTERO, EDUARDO

ART UNIT	PAPER NUMBER
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2123

DATE MAILED: 07/22/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

12

## Office Action Summary

Application No.

09/539,500

Applicant(s)

MATHEWS ET AL.

Examiner

Eduardo Garcia-Otero

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION: Non-final Action**

***Introduction***

1. Title is: METHOD AND APPARATUS FOR PROVIDING ACCESS TO DRAWING INFORMATION.
2. First named inventor is: MATHEW.
3. Priority is claimed to US Provisional Application 60/132,057 filed 30 April 1999.
4. Applicant's Appeal Brief was received 6/14/2004.
5. Claims 1-15 have been submitted, examined, and rejected.
6. Finality of the prior action is withdrawn, new rejections are introduced, and this office action is non-final.

***Index of Prior Art***

7. **Kantner** refers to "Understanding Thin-Client/Server Computing" by Joel P. Kanter, Microsoft Press, 1998.
8. **Shumaker** refers to "AutoCAD and its applications" by Terence M. Shumaker et. al., The Goodheart-Willcox Company, Inc., 1998, pages 267, 268, and 277, and page 347.
9. **Walker** refers to US Patent 6,057,929.
10. **Gluck** refers to US Patent 5,911,776.
11. **Bodin** refers to US Patent 6,604,106.
12. **Derfler** refers to "How Networks Work" by Derfler et. al., Fourth Edition, 1998, Que Corporation, ISBN: 0-7897-1595-3, page 119.

***Definitions***

13. **IEEE Dictionary** refers to The Authoritative Dictionary of IEEE Standards and Terms, Seventh Edition, by IEEE Press, ISBN 0-7381-2601-2, 2000.
14. IEEE Dictionary defines "**application**" as including "(5) A computer program that performs some desired function".
15. IEEE Dictionary defines "**client**" as including "(3) In networking, a station or program requesting a service" and "(5) Refers to the software component on one device that uses the services provided by a server on another device".
16. IEEE Dictionary defines "**server**" as including "(3) In a network, a device or computer system that is dedicated to providing specific facilities to other devices to the network.

*Contrast:* client. *See also:* mail server; disk server; file server; terminal server; network server; database server; print server."

***Appeal Brief***

17. Applicant's appeal brief page 6 asserts that "the version of AutoCAD described is simply a client-based program that is not operable on a network", and page 8 asserts "Server-based applications require additional functionality to provide the information over a network and to operate in a network-based environment".
18. Although the art of record Derfler page 119 does discuss "application server", Derfler does not explicitly discuss placing client-based applications on servers. Therefore, the Examiner will introduce new art that explicitly discloses placing a client-based application (such as Shumaker's AutoCAD) on a server, and adding functionality. Specifically, see Kanter page 6 "MultiWin, a multiuser layer on the server that **simulates local application processing**". Emphasis added.
19. Thus, the finality of the prior action is withdrawn, and new rejections are presented below.

***Claim Interpretation***

20. Claim 1 (amended), the preamble term "**computer implemented system**" is interpreted as a "**machine**", per the statutory classes of 35 USC 101. See MPEP 2106 regarding software. The limitations of claim 1 (amended) are interpreted as machine elements.

***35 USC § 103***

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action: (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
22. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: Determining the scope and contents of the prior art. Ascertaining the differences between the prior art and the claims at issue. Resolving the level of ordinary skill in the pertinent art. Considering objective evidence present in the application indicating obviousness or nonobviousness.

23. **Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable.**
24. Claim 1 (amended) is rejected under 35 U.S.C. 103(a) as being unpatentable over Shumaker in view of Walker and Kanter.
25. Claim 1 (amended) is an independent “computer implemented system” claim with 5 limitations, labeled by the Examiner for convenience.
26. [1] **“a drawing file”** is disclosed at Shumaker page 267 “AutoCAD drawing files are composed of vectors. A raster file defines objects by the location and color of the screen pixels. Rasterfiles are usually called bitmaps... You can work with raster files using the Image dialog box. Some of the most common raster files used in industry today are the following: .GIF (Graphics Interchange Format)... .PCX (Personal Computer Exchanged)... .TIF (Tagged Image File Format)... .BMP ... .PCT ... .JPG ... .FLD or .FLI”, and at page 277 “A vector file contains objects defined by XYZ coordinates. Auto CAD allows you to work with several different vector files using the Export Data and Import File dialog boxes. The most common is the AutoCAD drawing file (.dwg). Other vector file types are .dxf, .3ds, .wmf, and .sat”.
27. [2] **“an information extraction server component configured to provide information relating to the drawing file from a group of information comprising file size, date, and author”** is disclosed at Schumaker page 268 Figure 13-2, particularly the button labeled “Details”, and the description “Pick to view information about the image”.
28. [3] **“a search server component configured to provide a query engine that allows queries of the drawing file”** is disclosed at Schumaker page 268 Figure 13-2, particularly the button labeled “Details”, and the description “Pick to view information about the image”.
29. Shumaker does not expressly disclose the remaining limitations.
30. [4] **“a conversion server component configured to transform the drawing file from one drawing file format to another drawing file format without accessing the application that created the drawing file”** is disclosed at Walker at column 3 lines 46-62, “The file format of the drawing file 17 and the image characteristic data file 18 vary according to, and are determined by, the architect's drafting software and the printer system that generates the prints. To provide greater uniformity, the present invention initially converts the drawing file to a neutral data file format, as indicated by step 12, in FIG. 2. In the preferred embodiment,

the neutral data file is created using the Page Masters Apprentice Software Program, although several other commercially available programs could be used to create a neutral data file. Accordingly, the system converts the drawing file format to the Page Masters Apprentice file format. Page Masters Apprentice files are denoted by a VIC file extension. While the .VIC extension is used on the preferred embodiment, the extension is arbitrary and may be easily changed, for example, .AEC could be used. The conversion of the drawing file to the neutral format is transparent to the reprographer.”

31. [5] “a server comprising the information extraction server component, the search server component, and the conversion server component, wherein the server is configured to provide the information, query results, and the transformed drawing file across a network to a user using the graphical interface of a web browser” is disclosed by Kanter page ix “Microsoft Windows-based business-critical applications using Citrix WinFrame thin-client/server system software... Thin-client/server computing means that 100% of all application execution lives on the server. Users gain universal access to these applications to these applications from powerful desktop computers using thin-client software or through truly thin devices such as the Windows-based terminal. Enabling this computing architecture is the Independent Computing Architecture (ICA) protocol, which is emerging defacto standard for thin-client/server computing. The ICA protocol provides a standard way of exchanging application presentation services between powerful servers and a limitless range of information appliances...”, and page x “In addition to simplified management... application and data security is outstanding”, and page 4 “multiple concurrent thin-client users to log on and run applications in separate protected Windows sessions on the server... client devices access the same applications”, and page 6 “MultiWin, a multiuser layer on the server that simulates local application processing” and page 7 “allows the use of... existing native applications”, and page 33 “The World Wide Web is technically an Internet client server hypertext-distributed information system. You might view it as a very large multimedia client/server network. The browser (the client) downloads remote text and graphics files from a server to the local computer and then displays them on the local computer’s screen”, and page 59 “ICA allows an application’s logic to execute on an application server. Only the user interface, keystrokes, and mouse movements are

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transferred between the server and the client device over any network or communications protocol, which results in minimal client resource consumption”.

32. **At the time** the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kanter and Walker to modify Shumaker. One of ordinary skill in the art would have been motivated to do this “To provide greater uniformity” according to Walker column 3 line 49, and because Kanter page x “In addition to simplified management... application and data security is outstanding”.
33. Claim 2 (amended) is rejected under 35 U.S.C. 103(a) as being unpatentable over Shumaker in view of Walker and Kanter and Bodin.
34. Claim 2 (amended) depends from Claim 1 (amended), with 1 additional limitation.
35. Shumaker does not expressly disclose the remaining limitation.
36. **“an active server page (ASP) that interacts with one or more of the server components to obtain requested information in the graphical user interface on the web browser”** is disclosed Bodin at column 3 lines 36-47, “A representative Web server 12 is an IBM Netfinity server comprising a RISC-based processor 18, the AIX.RTM. operating system 20 and a Web server program 22, such as Netscape Enterprise Server. The server 12 also includes a display 24 supporting a graphical user interface (GUI) for management and administration, and an Application Programming Interface (API) 23 that provides extensions to enable application developers to extend and/or customize the core functionality thereof through software programs including Common Gateway Interface (CGI) programs, plug-ins, servlets, active server pages, server side include (SSI) functions or the like.”
37. **At the time** the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kanter and Walker and Bodin to modify Shumaker. One of ordinary skill in the art would have been motivated to do this “To provide greater uniformity” according to Walker column 3 line 49, and because Kanter page x “In addition to simplified management... application and data security is outstanding”, and to manage and administrate files inexpensively and quickly over the internet and “improving the manner in which such content is served in response to client requests” according to Bodin column 1 line 11. Note that Shumaker’s “Internet” capabilities are designed to “share drawing information with systems that do not have AutoCAD installed”.

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38. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shumaker in view of Walker and Kanter and Bodin.
39. Claim 3 depends from Claim 1 (amended), with 1 additional limitation.
40. Shumaker does not expressly disclose the remaining limitation.
41. **“the conversion component is cached”** is disclosed by Bodin at column 6 line 62 “cache”.
42. **At the time** the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kanter and Walker and Bodin to modify Shumaker. One of ordinary skill in the art would have been motivated to do this “To provide greater uniformity” according to Walker column 3 line 49, and because Kanter page x “In addition to simplified management... application and data security is outstanding” and to cache frequently used data or instructions in order to speed the processing of data.
43. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shumaker in view of Walker and Kanter and Guck.
44. Claim 4 depends from Claim 1, with 1 additional limitation.
45. Shumaker does not expressly disclose the remaining limitation.
46. **“search server component utilizes an index server that interacts with one or more drawing filters to filter and retrieve information”** is disclosed by Guck at column 4 line 7-16, “The server module... provides a database repository for all documents, together with the ability to index and search the documents with a powerful search engine”.
47. **At the time** the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kanter and Walker and Guck to modify Shumaker. One of ordinary skill in the art would have been motivated to do this “To provide greater uniformity” according to Walker column 3 line 49, and because Kanter page x “In addition to simplified management... application and data security is outstanding”, and to efficiently manage the database files and their related information.
48. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shumaker in view of Walker and Kanter.
49. Claim 5 depends from Claim 1, with 1 additional limitation.
50. **“the drawing file is stored in DWG file format”** is disclosed by Shumaker at page 277 “A vector file contains objects defined by XYZ coordinates. Auto CAD allows you to work with



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several different vector files using the Export Data and Import File dialog boxes. The most common is the AutoCAD drawing file (.dwg). Other vector file types are .dxf, .3ds, .wmf, and .sat”.

51. **At the time** the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kanter and Walker to modify Shumaker. One of ordinary skill in the art would have been motivated to do this “To provide greater uniformity” according to Walker column 3 line 49, and because Kanter page x “In addition to simplified management... application and data security is outstanding”.
52. Claim 6 (amended) is rejected under 35 U.S.C. 103(a) as being unpatentable over Shumaker in view of Walker and Kanter.
53. Claim 6 (amended) is an independent “method” claim with 3 limitations, labeled for convenience. Note that the limitations of claim 6 are very similar to the limitations of claim 1, except that claim 6 does not claim “a drawing file” as a separate limitation.
54. [1] **“obtaining information relating to the drawing file from a group of information comprising file size, date, and author”** is disclosed at Schumaker page 268 Figure 13-2, particularly the button labeled “Details”, and the description “Pick to view information about the image”.
55. [2] **“providing a query engine that allows queries of the drawing file”** is disclosed at Schumaker page 268 Figure 13-2, particularly the button labeled “Details”, and the description “Pick to view information about the image”.
56. Shumaker does not expressly disclose the remaining limitation.
57. [3] **“transforming the drawing file from one drawing file format to another drawing file format without accessing the application that created the drawing file”** is disclosed at Walker at column 3 lines 46-62, “The file format of the drawing file 17 and the image characteristic data file 18 vary according to, and are determined by, the architect's drafting software and the printer system that generates the prints. To provide greater uniformity, the present invention initially converts the drawing file to a neutral data file format, as indicated by step 12, in FIG. 2. In the preferred embodiment, the neutral data file is created using the Page Masters Apprentice Software Program, although several other commercially available programs could be used to create a neutral data file. Accordingly, the system converts the

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drawing file format to the Page Masters Apprentice file format. Page Masters Apprentice files are denoted by a VIC file extension. While the .VIC extension is used on the preferred embodiment, the extension is arbitrary and may be easily changed, for example, .AEC could be used. The conversion of the drawing file to the neutral format is transparent to the reprographer.”

58. [4] **“providing the information, query results, and the transformed drawing file across a network** to a user using a graphical user interface of a web browser” is disclosed by Kanter page ix “Microsoft Windows-based business-critical applications using Citrix WinFrame thin-client/server system software... Thin-client/server computing means that 100% of all application execution lives on the server. Users gain universal access to these applications to these applications from powerful desktop computers using thin-client software or through truly thin devices such as the Windows-based terminal. Enabling this computing architecture is the Independent Computing Architecture (ICA) protocol, which is emerging defacto standard for thin-client/server computing. The ICA protocol provides a standard way of exchanging application presentation services between powerful servers and a limitless range of information appliances...”, and page x “In addition to simplified management... application and data security is outstanding”, and page 4 “multiple concurrent thin-client users to log on and run applications in separate protected Windows sessions on the server... client devices access the same applications”, and page 6 “MultiWin, a multiuser layer on the server that simulates local application processing” and page 7 “allows the use of... existing native applications”, and page 33 “The World Wide Web is technically an Internet client server hypertext-distributed information system. You might view it as a very large multimedia client/server network. The browser (the client) downloads remote text and graphics files from a server to the local computer and then displays them on the local computer’s screen”, and page 59 “ICA allows an application’s logic to execute on an application server. Only the user interface, keystrokes, and mouse movements are transferred between the server and the client device over any network or communications protocol, which results in minimal client resource consumption”.
59. **At the time** the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kanter and Walker to modify Shumaker. One of ordinary skill in the art

would have been motivated to do this "To provide greater uniformity" according to Walker column 3 line 49, and because Kanter page x "In addition to simplified management... application and data security is outstanding".

60. Claims 7-10 present the same additional limitations as claims 2-5 respectively, and are rejected for the same reasons.
61. Claims 11-15 present "article of manufacture embodying logic for performing a method" claims with the same limitations as claims 6-10 respectively, and are rejected for the same reasons.

***Conclusion***

62. All claims stand rejected.
63. The finality of the prior action is withdrawn, and this action is non-final.

***Communication***

64. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eduardo Garcia-Otero whose telephone number is 703-305-0857. The examiner can normally be reached on Tuesday through Friday from 9:00 AM to 7:00 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kevin Teska, can be reached at (703) 305-9704. The fax phone number for this group is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist, whose telephone number is (703) 305-3900.

\* \* \*



KEVIN TESKA  
SUPERVISORY  
PATENT EXAMINER